

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED
MAY 1 2007

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

LARRY MONROE,

Plaintiff,

v.

CITY OF CHARLOTTESVILLE, VIRGINIA, AND

TIMOTHY J. LONGO, SR. (IN HIS OFFICIAL
CAPACITY), AND

JAMES MOONEY (IN HIS OFFICIAL CAPACITY),

Defendants

CIVIL No. 3:05cv00074

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on several motions: Defendants' Motion for Summary Judgment as to Count I of the Second Amended Complaint, filed on March 8, 2007 (docket entry no. 65); Defendants' Motion for Summary Judgment as to Count II and Count III, filed on March 8, 2007 (docket entry no. 67); and Plaintiff's Motion Pursuant to Fed. R. Civ. P. 56(f) To Continue the Defendants' Motions for Summary Judgment Concerning the Plaintiff's Second Amended Complaint Until Adequate Discovery Has Been Conducted, filed on March 13, 2007 (docket entry no. 69). For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

1. Defendants' motions for summary judgment (docket entry nos. 65, 67) are
DENIED WITHOUT PREJUDICE TO REFILE; and
2. Plaintiff's motion to continue (docket entry no. 69) is GRANTED.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Memorandum Opinion to all counsel of record.

ENTERED:

James J. Moran
United States District Judge

5/11/07
Date